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May 18, 2022

**BY ECF**

Magistrate Judge Steven Tiscione, U.S.M.J.  
United States District Court, EDNY  
100 Federal Plaza, Courtroom 910  
Central Islip, NY 11722

Re: Jackson v. Shore Funding Solutions (22-cv-00296-JMA-ST)

Your Honor:

Kindly allow this correspondence to serve as my opposition to Plaintiff's May 11, 2022 letter motion to compel discover or, alternatively, schedule a telephone conference to address the same (**ECF 16**). Plaintiff's motion is moot in that approximately an hour after he filed his motion to compel I provided him with responses to his Phase I discovery request. I was in the process of putting it together when I was notified of his filing via email.

Mr. Schimierer professes concern for the Court's valuable judicial resources while filing an unnecessary and disfavored motion to strike three of Defendant's affirmative defenses pursuant to FRCP Rule 12(f)(**ECF 13**). Responding to Plaintiff's motion took several days of my time that could have been better spent on matters that might have actually moved the litigation forward.

Schimierer's is associated with a large class-action law firm representing a a serial TCPA litigant. I am a solo practitioner representing a small family-owned business. His tiresome litigation tactics should be self-evident. He overburdens me with unnecessary pleadings and then complain to the Court about how long it takes me to respond. I will be present at tomorrow's teleconference if the Court still deems it necessary.

Thank you,



Clifford Olshaker